

UNITED STATES DISTRICT COURT
for the
Eastern District of California

UNITED STATES OF AMERICA,

v.

ROBERT LEE ERTMAN

Case No. 1:24-mj-00115-HBK

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

United States District Court

Place

2500 Tulare Street, Fresno, California 93721

on

October 17, 2024, at 2:00 p.m., before Magistrate Judge Erica P. Grosjean

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

DEFENDANT'S RELEASE IS DELAYED UNTIL 10/8/2024 AT 10:00 AM, AT WHICH TIME HE WILL BE TRANSPORTED TO THE WESTCARE PROGRAM BY A REPRESENTATIVE OF THE OFFICE OF THE FEDERAL DEFENDER.

ERTMAN, Robert Lee
DOC. NO. 1:24-MJ-00115-HBK

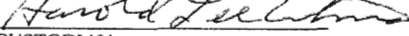
ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☒ (6) The defendant is placed in the custody of:

Name of person or organization Harold Lee Ertman

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: 
CUSTODIAN

- ☒ (7) The defendant must:
- ☒ (a) report on a regular basis to the following agency:
Pretrial Services and comply with their rules and regulations;
 - ☒ (b) report in person to the Pretrial Services Agency immediately upon your release from custody;
 - ☒ (c) not enter Yosemite National Park;
 - ☒ (d) stay away from the victim in this case, P.A., and from her residence and place of employment. You must also not have contact with the victim, either directly or indirectly, including via email, social media, phone, text, or through third party;
 - ☒ (e) cooperate in the collection of a DNA sample;
 - ☒ (f) restrict your travel to the District of Colorado and Eastern District of California for court purposes only, unless otherwise approved in advance by the pretrial services officer;
 - ☒ (g) report any contact with law enforcement to your pretrial services officer within 24 hours;
 - ☒ (h) Upon successful completion of WestCare, you must maintain employment and provide proof of same as requested by your pretrial services officer;
 - ☒ (i) not possess, have in your residence, or have access to a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you must provide written proof of divestment of all firearms/ammunition, currently under your control;
 - ☒ (j) submit to drug and/or alcohol testing as approved by the pretrial services officer. You must pay all or part of the costs of the testing services based upon your ability to pay, as determined by the pretrial services officer;
 - ☒ (k) refrain from any use of alcohol;
 - ☒ (l) participate in the substance abuse treatment program at WestCare inpatient facility, and comply with all the rules and regulations of the program. You must remain at the inpatient facility until released by the pretrial services officer;
 - a. A responsible party, approved by Pretrial Services, must escort you to all required court hearings and escort you back to the inpatient facility upon completion of the hearing;
 - ☒ (m) Upon successful completion of WestCare, you must reside with your father/third-party custodian, Harold Lee Ertman, and you must not change your residence without the prior approval of the pretrial services officer;
 - ☒ (n) not use or possess any narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Pretrial Services immediately of any prescribed medication(s). However, medicinal marijuana prescribed and/or recommended may not be used;
 - ☒ (o) surrender your passport to the Clerk, United States District Court within five business days of your release from custody, and you must not apply for or obtain a passport or any other travel documents during the pendency of this case;
 - ☒ (p) participate in a program of medical or psychiatric treatment, including treatment for drug or alcohol dependency, as approved by the pretrial services officer. You must pay all or part of the costs of the counseling services based upon your ability to pay, as determined by the pretrial services officer;
 - ☒ (q) execute a bond or an agreement to forfeit upon failing to appear or failure to abide by any of the conditions of release, the following sum of money or designated property: **\$5,000 cash bond**;
 - ☒ (r) Upon successful completion of WestCare, you must participate in the following location monitoring program component and abide by all the requirements of the program, which will include having a GPS device attached to your person. You must comply with all instructions for the use and operation of said devices as given to you by the Pretrial Services Agency and employees of the monitoring company. You are responsible for the management of the equipment, and you must charge the battery daily. You must pay all or part of the costs of the program based upon your ability to pay, as determined by the pretrial services officer;
 - ☒ **Curfew.** You must remain inside your residence every day from 7:00pm to 6:00am, or as adjusted by the pretrial services officer for medical, religious services, employment or court-ordered obligations;

USMS SPECIAL INSTRUCTIONS:

- ☒ (s) have your release on bond delayed until bed space becomes available at WestCare California Inc. At that time, Pretrial Services will notify the Court and then the following business day at 8:30am, you will be released to a representative of the Fresno Defender's Office who will transport you to the Pretrial Services Office in Fresno, California, for an intake appointment and immediately thereafter, will transport you to the WestCare inpatient facility in Fresno.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Defendant's Signature

Directions to the United States Marshal

(☒) The defendant is ORDERED released after processing.

Date: 10-7-2024

Judicial Officer's Signature

Erica P. Grosjean, United States Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL